

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

REQUEST OF MURRAY WATER DISTRICT NO. 3)	
FOR A DEVIATION FROM ADMINISTRATIVE)	CASE NO. 2004-00274
REGULATION 807 KAR 5:006, SECTION 24(3))	

ORDER

Murray Water District No. 3 (“Murray District”) has applied for a deviation from Administrative Regulation 807 KAR 5:006, Section 24(3), which requires a utility to adopt and execute a safety program that instructs “employees who, in the course of their work, are subject to the hazard of electrical shock, asphyxiation or drowning, in accepted methods of artificial respiration.” In support of its application, Murray District argues that it has only two employees and that neither employee performs his or her employment duties in the presence of the other.

Having reviewed the application and being otherwise sufficiently advised, the Commission finds that the application should be denied. The purpose of the regulation is to ensure the delivery of safe, reasonable, reliable and adequate utility service. While the protection of utility employees is one component of the regulation, the protection of the general public is another. To the extent that utility employees work in close proximity to utility facilities, they represent the first line of defense against utility-related safety incidents involving the general public and are likely to be the first responders in such incidents. Knowledge of and training in an acceptable method of artificial respiration, therefore, remains critical and cannot be summarily excused.

IT IS THEREFORE ORDERED that Murray District's application is denied.

Done at Frankfort, Kentucky, this 10th day of November, 2004.

By the Commission

ATTEST:

A handwritten signature in black ink, consisting of several overlapping loops and a horizontal line at the bottom.

Executive Director